

U.S. PROBATION OFFICE
UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TENNESSEE

PETITION FOR SUMMONS FOR OFFENDER UNDER SUPERVISION

Name of Offender: Deairus Goines **Docket Number:** 3:15-CR-00117-001

Name of Sentencing Judicial Officer: The Honorable Thomas W. Phillips
United States District Judge

Name of Presiding Judicial Officer: The Honorable Pamela L. Reeves
Chief United States District Judge

Date of Original Sentence: June 20, 2016

Original Offense: Felon in Possession of a Firearm and Ammunition, in violation of Title 18
U.S.C. §§ 922(g)(1) and 924(a)(2)

Class: C Felony

Criminal History Category: III

Original Sentence: 37 months imprisonment, followed by three (3) years supervised release

Amended Judgment – July 11, 2016: An Amended Judgment was filed due to Correction of Sentence for Clerical Mistake (Fed. R. Crim. P. 36). The wording of Special Condition #2 was amended, and all other aspects of the judgment remained the same.

Type of Supervision: Supervised Release

Date Supervision Commenced: October 18, 2018

Date Supervision Expires: October 17, 2021

Assistant U.S. Attorney: Kelly Ann Norris

Defense Attorney: Donny M. Young

Revocation Guideline Range: 5-11 months

Statutory Maximum: 2 years

PETITIONING THE COURT

The probation officer believes the offender has violated the following condition of supervision:

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Violation Number Nature of Noncompliance

- | | |
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| 1 | General Condition: The defendant shall refrain from any unlawful use of a controlled substance. |
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On February 28, 2019, the offender reported to Midway Rehabilitation Center to submit a random urine screen. His urine specimen tested positive for methamphetamine. The offender reported to United States Probation Officer Scott Smith that he was experiencing back pain and “took a pill” that was offered by his cousin. Mr. Goines acknowledged he did not know what the substance was, and he signed an admission of drug use form admitting to the use of methamphetamine.

On June 25, 2019, the offender failed to appear at Midway Rehabilitation Center for a Code-A-Phone urine screen. On June 26, 2019, this officer called Mr. Goines and instructed him to report to the United States Probation Office by 4:30 p.m. for a drug test. The offender did report for the drug test, but he did not report until 5:05 p.m. Prior to producing a urine sample, Mr. Goines admitted to smoking marijuana. The offender produced a urine sample which tested positive for marijuana. He reported last smoking marijuana on June 20, 2019. On July 2, 2019, this officer submitted a Report on Offender Under Supervision to the Court describing the above listed noncompliance.

On September 19, 2019, the offender failed to report to Midway Rehabilitation Center for a Code-A-Phone drug test. On September 20, 2019, this officer called the offender and advised him to report to the probation office to make up the missed drug test. He reported as instructed and tested positive for marijuana. The offender denied use of marijuana, and the sample was sent to Alere National Laboratory for confirmation testing. The test results were received from Alere on September 26, 2019, and confirmed the offender’s sample was positive for marijuana. According to the laboratory report, the urine sample was a diluted specimen. On October 3, 2019, this officer submitted a Report on Offender Under Supervision describing the above listed noncompliance.

On September 23, 2019, and October 9, 2019, the offender tested negative for all illegal substances. On October 16, 2019, the offender failed to report to Midway Rehabilitation Center for a Code-A-Phone drug test. On October 17, 2019, the offender reported to the probation office for a drug test and tested positive for marijuana. The offender denied use of marijuana, and the sample was sent to Alere National Laboratory for confirmation. The test results were received from Alere on October 21, 2019, and confirmed the offender’s sample was positive for marijuana. According to the laboratory report, the urine sample was a diluted specimen.

Since submitting a positive drug test on October 17, 2019, the offender has submitted four negative drug tests and has been participating in treatment with Cherokee Health Systems. This officer has received five progress reports from Cherokee Health Systems that indicate they are working with the offender on the following goals and objectives: abstain from drug use for a period of six months; attend AA/NA/Celebrate Recovery meetings; avoid people and places associated with drug use; build coping skills; engage in treatment with Cherokee Health Systems for a period of

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six months; and attend all scheduled healthcare visits. The offender has also obtained employment with "Ingles Market" on November 16, 2019, after four months of unemployment.

Petitioning the Court to order:

That a Summons be issued, and the defendant be ordered to appear in Court for a hearing to determine whether the term of supervision should be revoked.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on January 17, 2020.

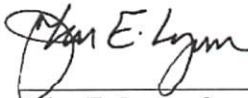
Respectfully submitted,



E. Aaron Powell
United States Probation Officer

January 17, 2020

APPROVED:



January 17, 2020

John E. Lynn, Supervising
United States Probation Officer

Date

EAP:glr

ORDER OF COURT:

A Summons is to be issued, and the defendant is ordered to appear in Court for a hearing to determine whether the term of supervision should be revoked.

So ordered.

ENTER.



The Honorable Pamela L. Reeves
Chief United States District Judge